

# MHR *Connections*

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## Sharing thoughts and meeting new people

### Students take part in northern youth conference

The largest ever Manitoba Human Rights Northern Youth Conference was held in one of the oldest communities in Northern Manitoba last week. More than 75 students and their supervisors arrived in the northern town of The Pas on March 21 to celebrate International Day for the Elimination of Racial Discrimination and to attend the Commission's Fourth Annual Northern Youth Conference. The conference itself was held at the Kikiwak Inn, which is part of the Opaskwayak Cree Nation, a Swampy Cree community of approximately 2500 people, across the Saskatchewan River from The Pas.



They came from as far away as Churchill, Split Lake and Oxford House. According to one student, "it was a fun experience and it was great to share thoughts and meet new people."

Two human rights workshops were offered to the students as well as an afternoon activity-based session where the students were asked to work with a moccasin, paper, poster board, beads, coloured markers, felt, glue and sparkle paint. The host of the session, called Two Moccasins - Two Worlds, was Ryan McMahon, one of Canada's first Native graduates of the prestigious Second City of Toronto Conservatory Training Program.



The day began with Commission Vice-Chairperson and host, Jerry Woods who reminded the students of the significance of March 21. It was on that date in 1960, after a peaceful demonstration in Sharpeville, South Africa, police shot and killed 69 people, including eight women and ten children. The massacre led the United Nations to declare March 21<sup>st</sup> International Day for the Elimination of Racial Discrimination.

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### The Rights Connection by Janet Baldwin - Chairperson Multiculturalism Revisited

While much of Europe is questioning diversity, Canada has traditionally been a model of a multicultural society. The Department of Canadian Heritage says multiculturalism is "fundamental to our belief that all citizens are equal. (It) ensures that all citizens can keep their identities, can take pride in their ancestry and have a sense of belonging." While this is the official promise, fear of change, difference and terrorism can lead some Canadians to reject diversity.

Earlier this year, a few rural Quebec towns issued rules for newcomers, which included inflammatory admonitions that there were to be no wearing of kirpans or religious head coverings, or stoning of women in their towns. The Globe and Mail reported that the mayor of one of the towns, Herouville, said: "What we're doing is telling people, 'This is how things are here. We'll welcome you and help you, but here we live this way.'"

A small delegation of Muslim women travelled to Herouville (and met with about 50 residents of the community of 1300). Prior to their arrival, the town handed out a version of the declaration which removed some of the most inflammatory statements, such as that there was to be no stoning of women to death or burning them with acid, both of which would already be offences under the Criminal Code of Canada.

Last month, an 11 year-old Muslim girl playing in a Quebec soccer tournament was evicted from a soccer game on the basis that she was wearing a hijab, a head scarf worn by some Muslim women and girls. Her coach withdrew her team in protest. The Canadian Soccer Association later confirmed that Canadian soccer rules do not prevent players from wearing the hijab unless it constitutes a danger, and noted that there are sports versions of the hijab which do not pose a danger to the wearer or other players.

The Canadian Charter of Rights and Freedoms sets out our fundamental Canadian values, including protection from discrimination on the basis of ancestry, sex and religion. It also states that it is to be interpreted "in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians." This should only be limited when necessary to protect the equal rights of others.

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"This year we are calling our conference 'Mission Possible' because we believe that we are on the road to the elimination of racism," he said, adding, "racism can enter into all aspects of our lives – at school – at work – at a restaurant, on the street or at the mall. It can be subtle. It can be blatant. It is never acceptable."

Aboriginal Elder Marguerite Sanderson and Maureen Brown, a representative of Opaskwayak Cree Nation Chief Glen Ross, also welcomed the students. Later in the day, the Mayor of The Pas, Herb Jacques did the same.

After a hard morning's work, the Deon Lowe Orchestra, better known as DLO, entertained the students at lunchtime with a mix of pop, rock and country music. One of the highlights was when student Robert Dott, from Margaret Barbour Collegiate in The Pas, asked if he could do one song with the band. He brought the house down with his rendition of Johnny Cash's Folsom Prison Blues.



## Chief Sam Cook - Challenge Winners



Students from Chief Sam Cook Mahmuwee in Split Lake were this year's recipients of the Northern Making a Difference Challenge and received a Certificate of Achievement and a cheque for \$500. Last year the students took the message of "Join Hands to Stop Racism," back to their community. Students Pamela Beardy and Arlene Flett along with their teacher Susan Ryle Munroe returned to this year's conference to accept their award.

# Discrimination results in compensation

In a recent human rights decision, independent Adjudicator Lyle Smordin has awarded the sum of \$3,000 for general damages and one month's pay to a former caretaker at an apartment building operated by the Vietnamese Non-profit Housing Corporation. The caretaker lost her job to after taking time off to recover from cancer surgery. Independent Human Rights Adjudicator Lyle Smordin also ordered the Corporation to adopt and post a suitable accommodation policy acceptable to The Manitoba Human Rights Commission.

The caretaker filed a human rights complaint alleging that her employer had failed to reasonably accommodate her needs arising from her physical disability, cancer. Failure to make reasonable accommodation for disability-related needs of employees is a form of discrimination prohibited by *The Human Rights Code*. After surgery and a two month recovery time, she had tried to return to her job and was told that she was no longer employed. She was subsequently told that she could re-apply.

The respondent originally argued that this did not qualify as discrimination based on disability. By the conclusion of the hearing, however, which was held in January 2007, it conceded that she should have been accommodated.

"This is an important human rights case," says Dianna Scarth Executive Director of the Manitoba Human Rights Commission, "because complaints based on disability continue to be widespread and comprised over 40% of formal complaints in 2006."

"The outcome once again emphasizes that all employers, whether non-profit or for profit, need to educate themselves about human rights issues in the workplace," says Ms. Scarth.

The Human Rights Commission offers a variety of educational seminars on a regular basis, including one focusing on reasonable accommodation in the workplace.

The complete decision can be found on the Commission's web site at [www.gov.mb.ca/hrc](http://www.gov.mb.ca/hrc)

### The Manitoba Human Rights Commission would like to thank the following Sponsors of the Youth Conferences:

- The Honourable Nancy Allan – The Minister of Labour and Immigration and Responsible for the Status of Women
- The Honourable Greg Selinger – Minister of Finance and Minister Responsible for the Civil Service Commission
- The Communications, Energy and Paperworkers Union of Canada
- The Maples Collegiate Unity Group
- Hudson Bay Mining and Smelting Company
- Kikiwak Inn
- Canad Inns
- Winnipeg Free Press
- Manitoba Air Services Branch